



IAP15 Rec'd PCT/PTO 28 AUG 2006

Express Mail Label No.: EV 262 741 555 US

FORM PTO 1390 (REV 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER N0008.0001
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/507,156
INTERNATIONAL APPLICATION NO. PCT/JP03/02394	INTERNATIONAL FILING DATE 28 February 2003	PRIORITY DATE CLAIMED 4 March 2002	
TITLE OF INVENTION NOVEL HEME PEPTIDE			

APPLICANT(S) FOR DO/EO/US Tadatake Oku et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ A signed oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☒ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Submission of Substitute Sequence Listing and Stateme

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/507,156		INTERNATIONAL APPLICATION NO. PCT/JP03/02394		ATTORNEY'S DOCKET NUMBER N0008.0001	
21. <input type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				CALCULATIONS PTO USE ONLY	
				\$	
				\$	130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	22-20 =	2	x 18.00	\$	
Independent claims	1-3 =		x	\$	
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	130.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	65.00
SUBTOTAL =				\$	65.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$	
TOTAL NATIONAL FEE =				\$	0
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$ 40.00
TOTAL FEES ENCLOSED =				\$	105.00
08/31/2006 MKAYPAGH 00000057 10507156 01 FC:2817 65.00 DP				Amount to be refunded:	\$
				charged:	\$

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2215. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Charles E. Miller
 DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
 1177 Avenue of the Americas, 41st Floor
 New York, New York 10036-2714
 (212) 835-1430

CUSTOMER NUMBER: 32172

SIGNATURE:

NAME

Edward A. Meilman

24,735

REGISTRATION NUMBER



Docket No.: N0008.0001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tadatake Oku *et al.*

Application No.: 10/507,156

Confirmation No.: 1795

Filed: June 7, 2005

Art Unit: N/A

For: NOVEL HEME PEPTIDE

Examiner: Not Yet Assigned

REQUEST FOR CORRECTED FILING RECEIPT
AND NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Attached hereto are copies of the "Notice of Acceptance of Application under 35 U.S.C. 371 and 37 CFR 1.495" and the Filing Receipt, mailed August 10, 2006, both of which contain errors, as indicated, with regard to the date of receipt of 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) requirements and the date of completion of all 35 U.S.C. 371 requirements, and the filing date, respectively.

In response to the "Notification of Missing Requirements under 35 U.S.C. 371 in DO/EO/US" ("Notification") dated April 7, 2005, Applicants filed, among others, the executed Declaration and the Substitute Sequence Listing and statement with the required fee on **June 7, 2005**. Thus, all 35 U.S.C. § 371 requirements were met on that day. As a proof, Applicants attach hereto a copy of the return postcard stamped "June 07, 2005" by the Office, together with copies of the "Credit Card Payment Form", the

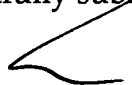
"Transmittal Letter to the DO/EO/US", the "Notification" , the executed Declaration and the Substitute Sequence Listing and Statement, all of which were submitted on the same day.

Applicants hereby request that a corrected "Filing Receipt" and a corrected "Notice of Acceptance of Application under 35 U.S.C. 371 and 37 C.F.R. 1.495" be issued in the above-identified patent application.

Applicants additionally request that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Dated: August 28, 2006

Respectfully submitted,

By  _____

Charles E. Miller

Registration No.: 24,576

DICKSTEIN SHAPIRO LLP

1177 Avenue of the Americas

41st Floor

New York, New York 10036-2714

(212) 277-6500

Attorney for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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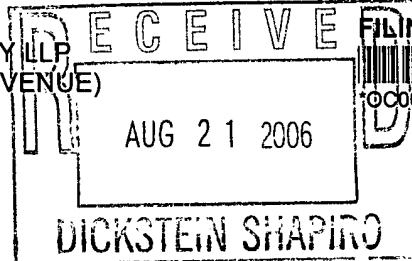
APPL NO.	FILING DATE (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/507,156	06/07/2005	3583	543	N0008.0001		22	1

06/07/2005

CONFIRMATION NO. 1795

32172

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
1177 AVENUE OF THE AMERICAS (6TH AVENUE)
41 ST FL.
NEW YORK, NY 10036-2714



FILING RECEIPT



0C000000019975636

Date Mailed: 08/10/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Tadatake Oku, Tokyo, JAPAN;
Toshiyuki Nishio, Tokyo, JAPAN;
Ryu Kawachi, Tokyo, JAPAN;
Kohei Suruga, Tokyo, JAPAN;

Power of Attorney: The patent practitioners associated with Customer Number 32172.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP03/02394 02/28/2003 ✓

Foreign Applications

JAPAN 2002-058086 03/04/2002 ✓

If Required, Foreign Filing License Granted: 08/09/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/507,156**

Projected Publication Date: 11/16/2006

Non-Publication Request: No

Early Publication Request: No

DSMO FILE NO. N0008.0001
DUE: _____
C/L: _____
ENTERED BY: h/cen/14
TTY: _____

** SMALL ENTITY **

Title

Novel peptide

Preliminary Class

435



PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/507,156	Tadatake Oku	N0008.0001

INTERNATIONAL APPLICATION NO.

PCT/JP03/02394

I.A. FILING DATE	PRIORITY DATE
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02/28/2003

03/04/2002

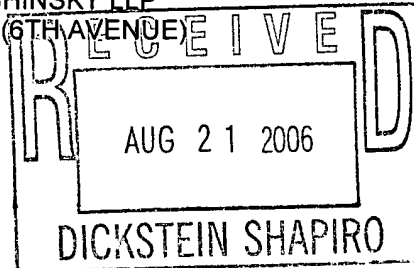
32172

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP

1177 AVENUE OF THE AMERICAS (6TH AVENUE)

41 ST FL.

NEW YORK, NY 10036-2714



CONFIRMATION NO. 1795

371 ACCEPTANCE LETTER



OC000000019975637

Date Mailed: 08/10/2006

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is **ACCEPTED** for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

06/07/05

06/07/2005

06/07/2006

06/07/2006

DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and
(c)(4) REQUIREMENTS

DATE OF COMPLETION OF ALL 35 U.S.C. 371
REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Indication of Small Entity Status
- Copy of the International Application filed on 09/07/2004
- Copy of the International Search Report filed on 09/07/2004
- Copy of IPE Report filed on 09/07/2004
- Preliminary Amendments filed on 02/27/2006
- Information Disclosure Statements filed on 09/07/2004
- Biochemical Sequence Diskette filed on 09/07/2004
- Oath or Declaration filed on 06/07/2006
- Biochemical Sequence Listing filed on 09/07/2004
- Small Entity Statement filed on 09/07/2004
- Request for Immediate Examination filed on 09/07/2004

DSMAD FILE NO. N0008.0001
DUE: _____
C/L: _____
ENTERED BY: /s/
DATE: 08/14

- Copy of references cited in ISR filed on 09/07/2004
- U.S. Basic National Fees filed on 09/07/2004
- Assignment filed on 06/07/2006
- Priority Documents filed on 09/07/2004

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

CHRISTINE S WASHINGTON
Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)



Inventor: Tadatake Oku et al.

Atty Docket No.: N0008.0001/P001

Application No.: 10/507,156-Conf. #1795
Title: NOVEL HEME PEPTIDE

Filing Date: September 7, 2004

Documents Filed:

Assignment (w/ Recordation Form Cover Sheet) Combined Declaration and Power of Attorney

Transmittal Letter to the United States Designated/Elected Office

Copy of Notification of Missing Requirements

International Preliminary Examination Report (PCT)

Submission of Substitute Sequence Listing and Statement (w/ 1 Computer Diskette)

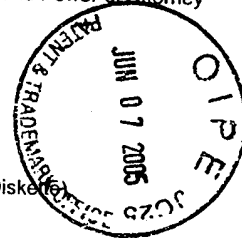
Payment by credit card. Form PTO-2038 is attached (1 page)

Charge \$105.00 to credit card

Via: PTO daily run

Sender's Initials: EAM/bi

Date: June 7, 2005



um.b



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/507,156	Tadatake Oku	N0008.0001

INTERNATIONAL APPLICATION NO.

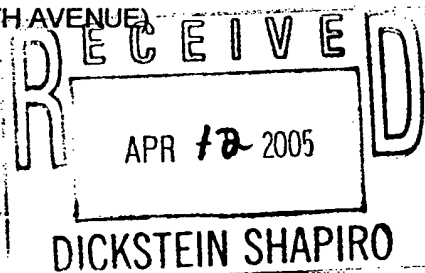
PCT/JP03/02394

32172

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
 1177 AVENUE OF THE AMERICAS (6TH AVENUE)
 41 ST FL.
 NEW YORK, NY 10036-2714

I.A. FILING DATE	PRIORITY DATE
02/28/2003	03/04/2002

CONFIRMATION NO. 1795
 371 FORMALITIES LETTER
 OC000000015662376
 OC000000015662376



Date Mailed: 04/07/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/07/2004
- Copy of the International Search Report filed on 09/07/2004
- Copy of IPE Report filed on 09/07/2004
- Information Disclosure Statements filed on 09/07/2004
- Oath or Declaration filed on 09/07/2004
- Biochemical Sequence Listing filed on 09/07/2004
- Small Entity Statement filed on 09/07/2004
- Request for Immediate Examination filed on 09/07/2004
- Copy of references cited in ISR filed on 09/07/2004
- U.S. Basic National Fees filed on 09/07/2004
- Priority Documents filed on 09/07/2004

DSMO FILE NO. N0008.0001
 DUE: June 7, 2005
 C/L: [Signature]
 ENTERED BY: [Signature]
 ATTY: CEM/IF

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- **\$65 Late oath or declaration Surcharge.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/507,156	PCT/JP03/02394	N0008.0001

**UNITED STATES OF AMERICA COMBINED DECLARATION
AND POWER OF ATTORNEY FOR PATENT APPLICATION**

ATTORNEY DOCKET NO.

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

the specification of which is attached hereto, unless the following box is checked:

☒ was filed on February 28, 2003 as United States patent Application Number or PCT International patent application number PCT/JP03/02394 and was amended on November 25, 2003 (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate or United States provisional application(s) listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign or Provisional Application(s)

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. § 119
Japan	2002-58086	04/03/2002	Yes

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

UNITED STATES APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby appoint customer no. 32172, DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP, and the members of the firm, Edward A. Meilman, Reg. No. 24,735, Gary M. Hoffman, Reg. No. 26,411, Steven I. Weisburd, Reg. No. 27,409, Thomas J. D'Amico, Reg. No. 28,371, Donald A. Gregory, Reg. No. 28,954, Stephen A. Soffen, Reg. No. 31,063, James W. Brady, Jr., Reg. No. 32,115, Jon D. Grossman, Reg. No. 32,699, Mark J. Thronson, Reg. No. 33,082, Michael J. Scheer, Reg. No. 34,425, Charles E. Miller, Reg. No. 24,576, Eric Oliver, Reg. No. 35,307, and Brian D. Siff, Reg. No. 35,679, as attorneys with full power of substitution and revocation to prosecute this application, to transact all business in the Patent & Trademark Office connected therewith and to receive all correspondence.

SEND CORRESPONDENCE TO: DICKSTEIN, SHAPIRO, MORIN & OSHINSKY, LLP
1177 Avenue of the Americas, 41st Floor
New York, NY 10036-2714

DIRECT TELEPHONE CALLS TO:
(212) 835-1400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR	INVENTOR'S SIGNATURE	DATE
Tadatake OKU	<i>Tadatake Oku</i>	Oct. 29, 2004

RESIDENCE (City and either State or Foreign Country)	COUNTRY OF CITIZENSHIP
Tokyo, JAPAN	Japan

POST OFFICE ADDRESS
c/o Nihon University, 8-24, Kudan-Minami 4-chome, Chiyoda-ku, Tokyo 102-8275 JAPAN

FULL NAME SECOND INVENTOR Toshiyuki NISHIO		INVENTOR'S SIGNATURE <i>Toshiyuki Nishio</i>		DATE Oct. 29, 2004
RESIDENCE (City and either State or Foreign Country) Tokyo, JAPAN			COUNTRY OF CITIZENSHIP Japan	
POST OFFICE ADDRESS c/o Nihon University, 8-24, Kudan-Minami 4-chome, Chiyoda-ku, Tokyo 102-8275 JAPAN				
FULL NAME THIRD INVENTOR Ryu KAWACHI		INVENTOR'S SIGNATURE <i>Ryu Kawachi</i>		DATE Oct. 29, 2004
RESIDENCE (City and either State or Foreign Country) Tokyo, JAPAN			COUNTRY OF CITIZENSHIP Japan	
POST OFFICE ADDRESS c/o Nihon University, 8-24, Kudan-Minami 4-chome, Chiyoda-ku, Tokyo 102-8275 JAPAN				
FULL NAME FOURTH INVENTOR Kohei SURUGA		INVENTOR'S SIGNATURE <i>Kohei Suruga</i>		DATE Oct. 29, 2004
RESIDENCE (City and either State or Foreign Country) Tokyo, JAPAN			COUNTRY OF CITIZENSHIP Japan	
POST OFFICE ADDRESS c/o Nihon University, 8-24, Kudan-Minami 4-chome, Chiyoda-ku, Tokyo 102-8275 JAPAN				
FULL NAME FIFTH INVENTOR		INVENTOR'S SIGNATURE		DATE
RESIDENCE (City and either State or Foreign Country)			COUNTRY OF CITIZENSHIP	
POST OFFICE ADDRESS				
FULL NAME SIXTH INVENTOR		INVENTOR'S SIGNATURE		DATE
RESIDENCE (City and either State or Foreign Country)			COUNTRY OF CITIZENSHIP	
POST OFFICE ADDRESS				
FULL NAME SEVENTH INVENTOR		INVENTOR'S SIGNATURE		DATE
RESIDENCE (City and either State or Foreign Country)			COUNTRY OF CITIZENSHIP	
POST OFFICE ADDRESS				



Docket No.: N0008.0001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of: Tadatake Oku et al.

Application No.: 10/507,156

Group Art Unit: Not Yet Assigned

Filed: September 7, 2004

Examiner: Not Yet Assigned

For: NOVEL HEME PEPTIDE

**SUBMISSION OF SUBSTITUTE SEQUENCE LISTING
AND STATEMENT IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.825(a) and (b) and 37 C.F.R. § 1.821(g), submitted herewith is a substitute sequence listing in paper form (substitute sheets) and computer readable form (CRF).

In the substitute sequence listing, SEQ ID NOS:11-18, which were inadvertently omitted in the originally filed sequence listing, are added. Support for each of the added sequences can be found in the original specification as indicated

below
08/31/2006 MKATPAGH 00000057 10507156

02 FC:8021

40.00 OP

SEQ ID NO:11	At page 2, lines 5-15;
SEQ ID NO:12	At page 2, lines 18 and 19;
SEQ ID NO:13	At page 2, line 20;
SEQ ID NO:14	At page 3, line 2;
SEQ ID NO:15	At page 3, line 6;

SEQ ID NO:16	At page 3, line 7;
SEQ IC NO:17	At page 2, lines 5-15 and claim 6; and
SEQ IC NO:18	At page 3, lines 2-3.

Pursuant to 37 C.F.R. §§ 1.821(g) and 1.825(a) and (b), the undersigned hereby states that:

1. The submission of the substitute sheets includes no new matter; and
2. The contents of the attached paper copy and the attached CRF of the Sequence Listing are the same.

Dated: June 6, 2005

Respectfully submitted,

By Edward A. Meilman

Edward A. Meilman

Registration No.: 24,735

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

1177 Avenue of the Americas
New York, New York 10036-2714
(212) 835-1400

Attorney for Applicant

Attachments: Sequence Listing substitute sheets (7 pages); and
CFR



SEQUENCE LISTING

<110> OKU, TADATAKE
NISHIO, TOSHIYUKI
KAWACHI, RYU
SURUGA, KOHEI

<120> NOVEL HEME PEPTIDE

<130> N0008.0001

<140> 10/507,156

<141> 2004-09-07

<150> PCT/JP03/02394

<151> 2003-02-28

<150> JP 2002-058086

<151> 2002-03-04

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His Gly Leu Phe Gly Arg Lys Thr Gly Gln Ala Pro Gly Phe Thr Tyr
35 40 45

Thr Asp Ala Asn Lys Asn Lys Gly Ile Thr Trp Lys Glu Glu Thr Leu
50 55 60

Met Glu Tyr Leu Glu Asn Pro Lys Lys Tyr Ile Pro Gly Thr Lys Met
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Tyr Leu Lys Lys Ala Thr Asn Glu
100

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<213> Porphyra yezoensis

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20 25 30

Lys Asp Val Leu Glu Ala Asn Ser Met Asn Thr Ile Asp Ala Ile Thr

35

40

45

Tyr Gln Val Gln Asn Gly Lys Asn Ala Met Pro Ala Phe Gly Gly Arg
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Ser Glu Lys Gly Trp
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<212> PRT

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<212> PRT

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Cys His Thr Val Glu Lys Gly Gly Lys His Lys Thr Gly Pro Asn Leu
20 25 30

His Gly Leu Phe Gly Arg Lys Thr Gly Gln Ala Pro Gly Phe Thr Tyr
35 40 45

Thr Asp Ala Asn Lys Asn Lys Gly Ile Thr Trp Lys Glu Glu Thr Leu
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Met

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Ile Met Pro Asp Lys
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Glu

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<220>
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<220>
<223> see specification as filed for detailed description of preferred embodiments

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1 5 10 15
Xaa Xaa Xaa Xaa Cys Xaa Xaa Cys Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa
20 25 30
Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa
35 40 45
Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa
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Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa
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<223> Ala, Gln, Lys, Arg or Val

<220>
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<223> His, Lys or Arg

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<220>
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<210> 16
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1 5

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<210> 18

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peptide

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